

Republic of the Philippines
CONGRESS OF THE PHILIPPINES
Metro Manila

SIXTEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 2536



Begun and held in Metro Manila, on _____, the ____ day of _____,
twenty hundred and thirteen.

Introduced by Representative EDGAR R. ERICE

EXPLANATORY NOTE

This bill aims to divest the Sangguniang Kabataan of its power to administer the ten percent (10%) share in the internal revenue allotment of the Barangay intended for youth-oriented programs, projects, services and activities. Said power is herein proposed to be delegated to the Sangguniang Barangay. In lieu of such power to administer funds, the Sangguniang Kabataan shall be granted exclusive discretionary power to recommend projects that will be undertaken to achieve the purposes enumerated under the Local Government Code of 1991 and its Implementing Rules and Regulations.

The Sangguniang Kabataan was primarily established to provide a venue wherein the Filipino youth can promote their collective interest and actively participate in political exercises. At the same time, the SK was designed to serve as a training ground for the country's future leaders. Noble though the purposes for the creation of SK may be, these noble purposes, however, have long been overshadowed by the negative effects to which this institution has exposed the youth, given their impressionable minds. Supporting this view are no less than the Commission on Elections, some students organizations, and even one of the authors of the SK charter, former Senator Aquilino Pimentel Jr.

COMELEC opined that the SK consistently failed to accomplish its mission of training youth leaders and, more often than not, only exposed the youngsters to the deeply ingrained systematic corruption of traditional politicians, including the notorious "SOP" given to officials who have discretionary authority to award franchises and government projects to private individuals or companies. In fact, according to the COMELEC, SK officials are now involved in numerous election

cases, accusing one another of mud-slinging, vote-buying and other election-related offenses, all done just for the sake of winning public positions and with its accompanying power to manage millions of government funds.

On the other hand, in a manifesto signed by 6,000 high school students and teachers released by the Federation of Student Governments in 2007, the whole institution of SK was categorically described as having lost its bases of existence due to miserable performance or non-performance of its mandated responsibilities. Even the acknowledged "Father of the Local Government Code" has expressed his sentiment on the negligence of SK officials to perform their duties and the fact that at their early age they were already exposed to and had succumbed to dishonest practices. One can argue therefore that the plain existence of the SK institution has already become an antithesis to the original objective for which it was created.

Proceeding from the above premises, it is hereby proposed that the Sangguniang Kabataan be relieved of its present power to administer government finances, and delegate the same to the Sangguniang Barangay, in order to prevent the inevitable exposure of the Filipino youth leaders to the temptations accompanying the disbursement of millions of government funds.

The undersigned earnestly considers this proposed legislation as both timely and of vital significance, and thus worthy of the support of the august assembly.



EDGAR R. ERICE

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AN ACT
DIVESTING THE SANGGUNIANG KABATAAN OF THE POWER TO
ADMINISTER THE 10% OF BARANGAY FUNDS ALLOCATED FOR YOUTH-
ORIENTED PROGRAMS, PROJECTS, SERVICES AND ACTIVITIES, AMENDING
FOR THE PURPOSE SECTION 329 OF REPUBLIC ACT NO. 7160, OTHERWISE
KNOWN AS THE LOCAL GOVERNMENT CODE OF 1991, AND FOR OTHER
PURPOSES

*Be it enacted by the Senate and the House of Representatives of the Philippines in
Congress assembled:*

Section 1. Section 329 of Republic Act No. 7160, otherwise known as the Local Government Code of 1991, is hereby amended to read as follows:

“Section 329. *Barangay Funds.* - Unless otherwise provided in this Title, all the income of the barangay from whatever source shall accrue to its general fund and shall, at the option of the barangay concerned, be kept as trust fund in the custody of the city or municipal treasurer or be deposited in a bank, preferably government-owned, situated in or nearest to its area of jurisdiction. Such funds shall be disbursed in accordance with the provisions of this Title. Ten percent (10%) of the general fund of the barangay shall be set aside for youth-oriented programs, projects, services and activities. The said ten percent (10%) share shall be appropriated and administered by the Sangguniang Barangay and shall be spent for the purposes provided in Rule XXVII of the Implementing Rules and Regulations of the Local Government Code of 1991 with the Sangguniang Kabataan having the exclusive recommending authority as to the projects to be undertaken in pursuance of these purposes”.

Section 2. The provisions of this Act shall apply to the incumbent Sangguniang Barangay and Sangguniang Kabataan.

Section 3. All laws, decrees, executive orders, letters of implementation, rules and regulations, or parts thereof inconsistent with any provisions of this Act, specifically Articles 423 and 433 of the Implementing Rules and Regulations of the Local Government Code of 1991, are hereby repealed, modified or amended accordingly.

Section 4. This Act shall take effect after fifteen (15) days from completion of its publication in at least two (2) newspapers of general circulation.

Approved: _____